



Atty Docket: 85917.000307

1771

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stanley R. Miska
Serial No: 09/822,113
Filed: March 30, 2001
For: FLAME RETARDANT
CORROSIVE RESISTANT
CONDUCTIVE FABRIC
ARTICLE AND METHOD

Examining Attorney:
Arti SinghArt Unit:
1771

TC 1700 MAIL ROOM

MAR 20 2003

Commissioner for Patents
Washington, DC 20231RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction Requirement dated March 6, 2003, Applicant elects to proceed with claims 1-17 but traverses the restriction requirement.

It is the Examiner's position that inventions II and I are related as a process of making and product made but that they are distinct because the flame retardant coating could be applied by means of a heated spray coating and could still formulate the same article.

Respectively, neither claim 18 nor claim 19 is limited to any particular method of applying the flame retardant coating, and therefore the Examiner's suggestion that applying the flame retardant coating by means of a heated spray coating is a different method from the method claimed in claims 18 or 19, is not well founded.

Applicant acknowledges that claim 20 recites a vapor depositing the conductive metal, but the Examiner makes no argument with respect to applying the conductive metal, the argument being limited to applying the flame retardant coating as a heated spray coating, and as to this even claim 19 would include the Examiner's suggested method of making. Accordingly, the Examiner has not shown that another can make the products and materially different process because the proposed process is not only not materially different it is not different at all from the process as claimed. Accordingly, reconsideration and withdrawal of the restriction requirement are requested.

Respectfully submitted,

Dated: March 13, 2003
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